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7 CITY OF OAKLAND

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10 **UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

11 THE PEOPLE OF THE STATE OF  
CALIFORNIA,

12 Plaintiff,

13 CITY OF OAKLAND, a Municipal corporation,

14 Plaintiff and Real Party in  
Interest,

15 vs.

16 WILLIAM ABEND, et al.

17 Defendants.  
18

19 AND RELATED CROSS-ACTION.

20 WILLIAM M. ABEND AND MARCIA F.  
21 ABEND,

22 Petitioners and Plaintiffs,

23 vs.

24 CITY OF OAKLAND, a California municipal  
corporation; et al.,

25 Respondents and Defendants.  
26

Case No.: C 07-02142 EMC

**DISMISSAL OF ENTIRE ACTION FILED  
BY CITY OF OAKLAND**

1 Subject to the terms and conditions set forth in the settlement agreement dated February  
2 25<sup>th</sup>, 2008 Plaintiff and Cross-Defendant City of Oakland hereby dismisses Alameda  
3 County Superior Court action RG 06-289665, which was consolidated with Alameda  
4 County Superior Court action RG 06-296228 and removed to federal court as United  
5 States District Court, Northern District of California action C 07-07-2142 EMC.

6  
7 Dated: February 29, 2008

8 JOHN A. RUSSO, City Attorney  
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10 JAMES F. HODGKINS, Supervising Trial Attorney  
11 CHARLES E. VOSE, Senior Deputy City Attorney  
12 CAROLYN ORTLER, Deputy City Attorney

13 By: //S// Carolyn Ortler  
14 Attorney for Plaintiff/Cross-Defendant  
15 CITY OF OAKLAND

16 ORDER

17 Pursuant to the Voluntary Dismissal of Entire Action Filed by Plaintiff and Cross-  
18 Defendant City of Oakland, Northern District of California action number C 07-07-2142  
19 EMC is hereby dismissed in its entirety with prejudice.

20 Dated: March <sup>4</sup>\_\_\_\_, 2008

21 UNITED STATES

